

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)	
)	
)	
)	
)	No. 1:06-CR-92
v.)	
)	Chief Judge Curtis L. Collier
JERRY WAYNE COOPER)	
)	
)	

ORDER

Before the Court is a motion filed by Defendant Jerry Wayne Cooper (“Defendant”) seeking permission to file, under seal, a memorandum in support of his motion requesting the government’s 404(b) disclosure evidence be filed under seal¹ (Court File No. 11). Defendant “seeks to file the memorandum under seal in order to avoid contamination of the potential jury pool in this case.” *Id.* The government has not filed a response to Defendant’s motion.

Because our legal tradition values public access to court proceedings, court papers will only be sealed “for good cause shown.” E.D. Tenn. Local Rule 26.2; *Procter & Gamble Co. v. Bankers Trust Co.*, 78 F.3d 219, 227 (6th Cir. 1996). To justify placing a filing or portion thereof under seal, a litigant must identify the specific information sought to be protected and demonstrate that the interests to be served by sealing that information outweigh the public’s long standing right of access.

¹The Court notes Defendant has not submitted the actual “Motion Requesting 404(b) Disclosure & Disclosure Of Theory Upon Which Government Intends To Rely For Introducing Specified Conduct & Requesting That Such Disclosure Be Made Under Seal” to CM-ECF to be docketed. Instead, he submitted the motion with the memorandum he is seeking to have sealed. As such, the Court assumes the defendant is requesting both the motion and the memorandum be sealed.

Upon review of the documents submitted by Defendant to be sealed, the Court did not find any information in the motion or memorandum that would lead to contamination of the jury pool, and as such, good cause has not been shown. Accordingly, the Court **DENIES** Defendant's motion (Court File No. 11). However, the Court notes Defendant is free to file any documents in a revised form to omit information he does not wish to disclose. Therefore, the Court instructs the Clerk to return the original documents to Defendant in case changes need to be made before the documents are filed.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE